ORDER RECEIVED FOR FILING
Date

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IN RE: PETITION FOR SPECIAL HEARING
N/S Mamopa Court, 330 ft. E
of Pleasant Grove Road
4 Mamopa Court
4th Election District
3rd Councilmanic District
David Bisaha, et ux
Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 97-267-SPH

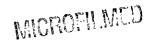
*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 4 Mamopa Court in the Reisterstown section of Baltimore County. The Petition is filed by David Bisaha and Bernice C. Bisaha, his wife, property owners. Special Hearing relief is requested to approve the installation of a kitchen (in-law apartment) in a proposed addition for which an application for an administrative variance was approved in case No. 97-240-A. The subject property and requested relief is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was David Bisaha, co-property owner. Also present was John DeGraw, the contractor engaged by Mr. Bisaha to construct the proposed addition. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is an irregularly shaped lot (roughly rectangular) located on Mamopa Court in the Pleasant Run subdivision of Reisterstown. The subject property is 1.034 acres in area, zoned R.C.2. Mr. and Mrs. Bisaha have owned the subject property for approximately 20 years and reside thereon. The property is improved with an existing single family dwelling, 45 ft. in width by 28 ft. in depth. Additionally, an inground pool is located within the rear yard. Mr. and Mrs. Bisaha petitioned for and obtained



variance relief from Deputy Zoning Commissioner, Timothy M. Kotroco, in case No. 97-240-A. In that case, a variance Petition was submitted requesting approval for a 30 ft. side yard setback, in lieu of the required 50 ft., for a proposed addition. The proposed addition is 22 ft. wide by 28 ft. deep. As shown on the site plan, the addition is of the same depth of the house and will add additional living space to the side of the existing dwelling.

Although variance relief was previously granted for the addition, the special hearing is necessary because of the proposed use of the addition. Specifically, as shown in the floor plan submitted at the hearing (Petitioners' Exhibit No. 3), the addition will be used as an in-law apartment. As the floor plan shows, a living room, a bath, a single bedroom and a small kitchen area will be contained in the addition. The addition is proposed for use by Mr. Bisaha's mother in-law, Anna Palermo. Mr. Bisaha testified that Mrs. Palermo is approximately 70 years of age and the addition is to allow her to live with her daughter and son in-law. Although still in good health, the Bisahas and Mrs. Palermo anticipate that the addition will allow her independent living space, while still providing the opportunity for her to live near her family.

number of neighbors to the property. Moreover, this is a large lot which can easily accommodate the addition. The addition of a single resident on the property will not overwhelm the infrastructure or public services for this community. It is to be noted that the property is served by private water and sewer.

Nonetheless, as I explained to the Petitioner at the hearing, relief can be granted only for use of the addition by a family member. The relief cannot be utilized in the future so as to permit the addition to be used as an apartment or a separate dwelling unit. The Petitioner indicat-

ed at the hearing that he understood this restriction and that the dwelling would remain single family in character. For the aforegoing reasons, I am persuaded to grant the Petition for Special Hearing. I will, however, require the Petitioner to record a copy of this Order in the Land Records of Baltimore County reflecting the condition described above. This condition will restrict the use of the addition/kitchen to the Petitioner's mother in-law, or other members of the immediate family only. At the time of the death of Mrs. Palermo and/or the sale of the property, the Petitioner, or his assignees, will remove the kitchen. The subsequent property owners shall not use the addition as a separate dwelling unit or for rental purposes.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

- 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. Prior to the issuance of any permits, the Petitioners shall record a copy of this Order in the Land Records of Baltimore County. This recordation shall be for the purpose of providing subsequent property owners with notice of the restriction described above. This restriction shall limit the use of the second kitchen to members of the Petitioners' immediate family and

shall prohibit the addition from utilization as a second dwelling unit, or for rental purposes.

LAWRENCE E. SCHMIDT

Zoning Commissioner

for Baltimore County

norm

LES:mmn



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

4 MAMOPA CT

which is presently zone

PC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The installation of a kitchen in the proposed addition for which an application for an administrative variance has been filed (File #240, dated December 5, 1996). The mother of the undersigned homeowners wishes to reside with them in a manner that will allow her to independently care for herself.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

		I/We do solemnly declare and affirm, under the penalties of perjury, that tiwe are the legal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee:		Legai Owner(s)·
(Type or Print Name)		Type of Arint Name;
Signature		Signature Disaka
Address		BEENICE C. BISAHA (Type for Print Name)
City	State Zipcode	Signature C / SUAU
Attorney for Petitioner:		Agriess Mamopa CT 15-526-5424 Agriess Phone No Phone No Phone No 21136
(Type or Print Name)		City State Zipcode Name, Address and phone number of representative to be contacted.
Signature		Name DEGRAW
Address	Phone No.	Address Phone No
City	State Zipcode	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE for Hearing
	Applied to the state of the sta	the following dates Next Two Months
	"	ALLOTHER
Ž		REVIEWED BY: JTD DATE 12-19-96
- v-	The state of the s	MICROFILMED ZG7

ZONING DESCRIPTION FOR #4 MAMOPA COURT, REISTERSTOWN, MD 21136

97-267-594

Beginning at a point on the north side of Mamopa Court, which is 25 feet wide at the distance of 330 feet east of the centerline of the nearest improved intersecting street Pleasant Grove Road which is 30 feet wide. Being Lot #2, Block #6, Section # in the subdivision of Pleasant Run as recorded in Baltimore County Plat Book #38, Folio #2, containing 1.034 acres. Also known as #4 Mamopa Court and located in the Election District, \(\forall Councilmanic District. \(\forall)

CERTIFICATE OPOSTING

	RE: Case No.: 97-267-56H		
	Petitioner/Developer:		
- <u>-</u>	DAVID BISAHA		
	Date of Hearing/Closing: 2-7-97		
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	•		
Attention: Ms. Gwendolyn Stephens			
Ladies and Gentlemen:			
were posted conspicuously on the proper	ty located at 4 manala 07.		
The sign(s) were posted on	1 - 27 - 97		
ι	(Month, Day, Year)		
	Sincerely,		
PLACE , MOS. LOS CALVES DE LA CALVE DE LA	(Signature of Sign Poster and Date) THOMAS A EGGE SE (Printed Name) 325 Nicholson Road (Address) (Address) (City, State, Zip Code) (410) 687-8405 (Telephone Number)		

97-267-SEH.

HOS-LOG-LIB RECEIVED MISCELLANEOUS CASH RECEIPT OFFIC. JF FINANCE - REVENUE DIVISION BAL? 'ORE COUNTY, MARYLAND PINK - AGENCY YELLOW - CUSTOMER URCIN HALVEY VALIDATION OR SIGNATURE OF CASHIER SA CODZITONICHEC ACCOUNT AMOUNT \$ [], () Ą 029791

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Request for Zoning: Varian Special Exception, or Special Hearing					
Date to be Posted: Anytime before but no later than					
Format for Sign Printing, Black Letters on White Background:					
ZONING NOTICE					
Case No.:					
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD					
(L. H.)					
PLACE: U- MAMORA CT.					
DATE AND TIME:					
REQUEST: SPECCAL HEBILING TO DETERMINE WHED THER A 2 ND AFPT. PLAY BC BULT					
ON SUBSECT PROPERTY					
CIO DUBSECT TROTEGUTO					
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.					
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW					
HANDICAPPED ACCESSIBLE					

9/96 post.4.doc

267,

To: PUTUXENT PUBLISHING COMPANY
January 16, 1997 Issue - Jeffersonian

Please foward billing to:

David and Bernice Bisaha 4 Mamopa Court Reisterstown, ND 21136 526-5424

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-267-SPH (Item 267)

N/S Mamopa Court, 330' E of Pleasant Grove Road

4 Mamopa Court

4th Election District - 3rd Councilmanic

Legal Owner(s): David Bisaha and Bernice C. Bisaha

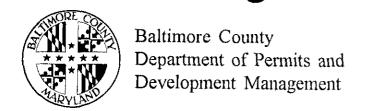
Special Hearing to approve the installation of a kitchen in the proposed addition.

HEARING: FRIDAY, FEBRUARY 7, 1997 at 2:30 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 10, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-267-SPH (Item 267) N/S Mamopa Court, 330' E of Pleasant Grove Road 4 Mamopa Court 4th Election District - 3rd Councilmanic Legal Owner(s): David Bisaha and Bernice C. Bisaha

Special Hearing to approve the installation of a kitchen in the proposed addition.

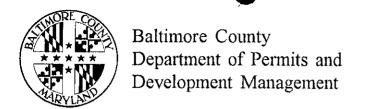
HEARING: FRIDAY, FEBRUARY 7, 1997 at 2:30 p.m. in Room 106, County Office Building.

Arnold Jablon Director

ce:

David and Bernice Bisaha John Degraw

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 23, 1997.
 - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 - (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 31, 1997

Mr. and Mrs. David Bisaha 4 Mamopa Court Reisterstown, MD 21136

> Item No.: 267 RE:

> > Case No.: 97-267-SPH

Petitioner: David Bisaha, et ux

Dear Mr. and Mrs. Bisaha:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 19, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

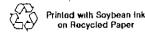
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Cont Richards Ja

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re Attachment(s)



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

Mr. Arnold Jablon, Director

January 8, 1997

Zoning Administration and Development Management

FROM:

R. Bruce Seeley Ans/40

DEPRM

SUBJECT:

Zoning Item #267 - Bisaha Property

4 Mamopa Court

Zoning Advisory Committee Meeting of December 30, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Agriculture Preservation Review

This request raises concern for its appropriateness within an area zoned RC-2. Providing for multi-family dwellings raises the demand for services such as fire and police and increases the usage of existing services such as road. In addition, increasing the number of residences raises the potential for conflicts with agricultural uses.

It is recommended that if this request is approved that the petitioner agree to condition the approval so as to restrict the use of the kitchen to the mother only. At the time of the death of the mother or the sale of the property, the petitioner or assignees will remove the kitchen. The petitioner will also agree that the addition is not be used for rental purposes.

RBS:WL:sp

BISAHA/DEPRM/TXTSBP



David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12.31.94 Item No. 267 (JRA)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P.J. Sullan

for Ronald Burns, Chief

Engineering Access Permits

Division

LG

(MOTALLI)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE:

December 30, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 258, 259, 261, 263, 267, 268, and 269

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Jong

Division Chief: Cayl. Kerny

PK/JL

John alejardu

MARYLAND COUNTY. BALTIMORE

INTEROFFICE CORRESPONDENCE

:OT

Arnold Jablon, Director

Date: January 3, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Myelopment Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting for January 6, 1997 Item Nos. 258, 259, 261, 262, 263, 265 (267,) 268

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:jrb

cc: File

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 01/08/97

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 30, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 258, 259, 261, 262, 263, 265, 266 (267), 268 AND 269.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

ec: File

Printed with Soybean Ink on Recycled Paper MICROFILMED



#264 --- MJK

- 1. Need typed or printed name of person signing for legal owner.
- 2. Need authorization for person signing for legal owner.
- 3. Need telephone number of legal owner.
- 4. Need zip code of legal owner.

#266 --- CAM

- 1. No review information on bottom of petition form.
- 2. No description on folder just address.

#267 --- JRA

1. No description on folder - just address.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE

4 Mamopa Court, N/S Mamopa Court,
330' E of Pleasant Grove Road * ZONING COMMISSIONER

4th Election District, 3rd Councilmanic * OF BALTIMORE COUNTY

David and Bernice Bisaha
Petitioners * CASE NO. 97-267-SPH

ENTRY OF APPEARANCE

please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 300 day of February, 1997, a copy of the foregoing Entry of Appearance was mailed to John DeGraw, 3901 E. Monument Street, Baltimore, MD 21205, representative for Petitioners.

PETER MAX ZIMMERMAN

John Heagy

97-267-594

John-Baltimie Courty Thensing

need photo graphs of house where addition is soing to be and also shots of the neighboring houses taken from the road, need to mail these within I week to in

Ballimore County Office of Permit + Development Management Zowing Review Section 111 NeSt Chesapeake Are TOUSON MD. 21304

Assention: Guenn Stephens

put a note with the pick res: these to be Neepinous included with Them 240

John Lewis Zonning

Special and odrumat odrumistialine Vanance

267 -



97-257-84

December 19, 1996

Ref: File #240, 4 Mamopa Court

To Whom it May Concern,

Regarding the request for a special hearing for 4 Mamopa Court, it was Mrs. Bisaha's intent from the outset to install a kitchen in the new addition for her mother in order to allow her mother to care for herself independently.

Because of time constraints placed upon us by the customer, we initially applied only for the administrative variance for the property setback because of the shorter time frame for approval. It was our hope that the variance for a second kitchen would subsequently be approved, allowing us to begin construction in the interim.

Sincerely,

John B. DeGraw Project Manager

MICROFILMED

To Whom It May Concern:

We are aware that Mr. & Mrs. David Bisaha have petitioned for approval to build an extension, including kitchen, to their residence at 4 Mamopa Ct. This extension will provide housing and autonomy for Mrs. Anna Palermo (widowed mother of Mrs. Bisaha). We are in total support of this endeavor and do not have any objections to this construction.

Sincerely,

Robert Holland

Jan E. Hellend

Joan Holland

6 Mamopa Ct.

To Whom It May Concern:

We are aware that Mr. & Mrs. David Bisaha have petitiioned for approval to build an extension, including kitchen, to their residence at 4 Mamopa Ct. This extension will provide housing and autonomy for Mrs. Anna Palermo (widowed mother of Mrs. Bisaha). We are in total support of this endeavor and do not have any objections to this construction.

Sincerely,

Alexander Kotov Alex Kotov

Olga Kotov

Olga Kotov

2 Mamopa Ct.

To Whom It May Concern:

We are aware that Mr. & Mrs. David Bisaha have petitiioned for approval to build an extension, including kitchen, to their residence at 4 Mamopa Ct. This extension will provide housing and autonomy for Mrs. Anna Palermo (widowed mother of Mrs. Bisaha). We are in total support of this endeavor and do not have any objections to this construction.

Sincerely,

Edward Brady

Edward Brady

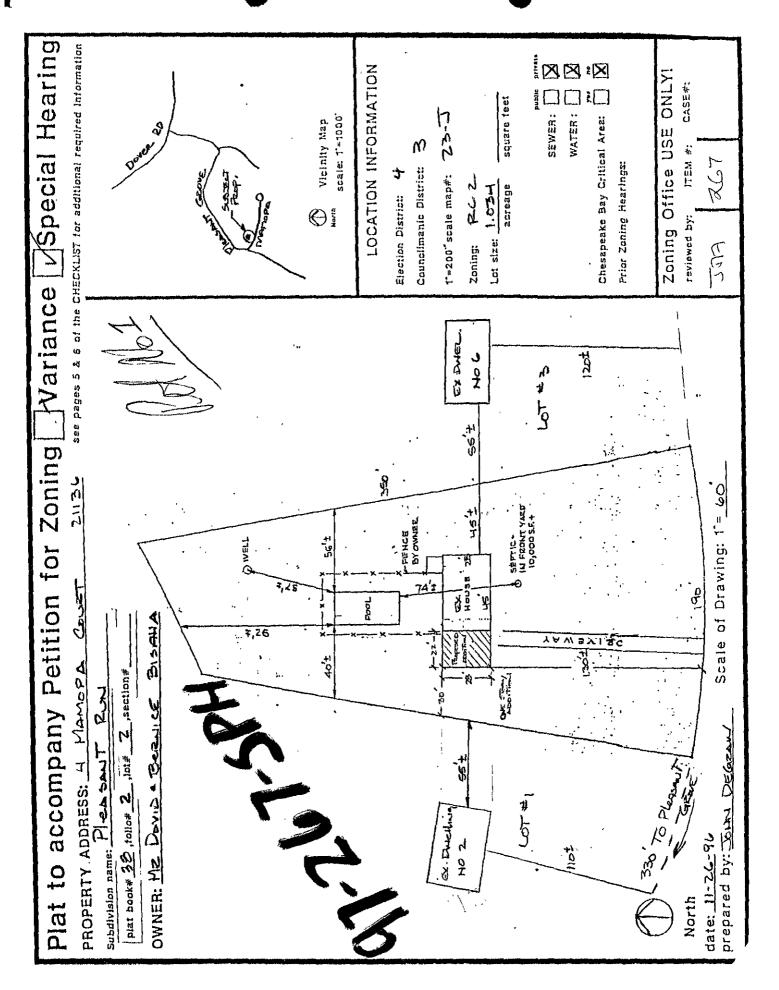
Marlene E. Grady

Marlene Brady

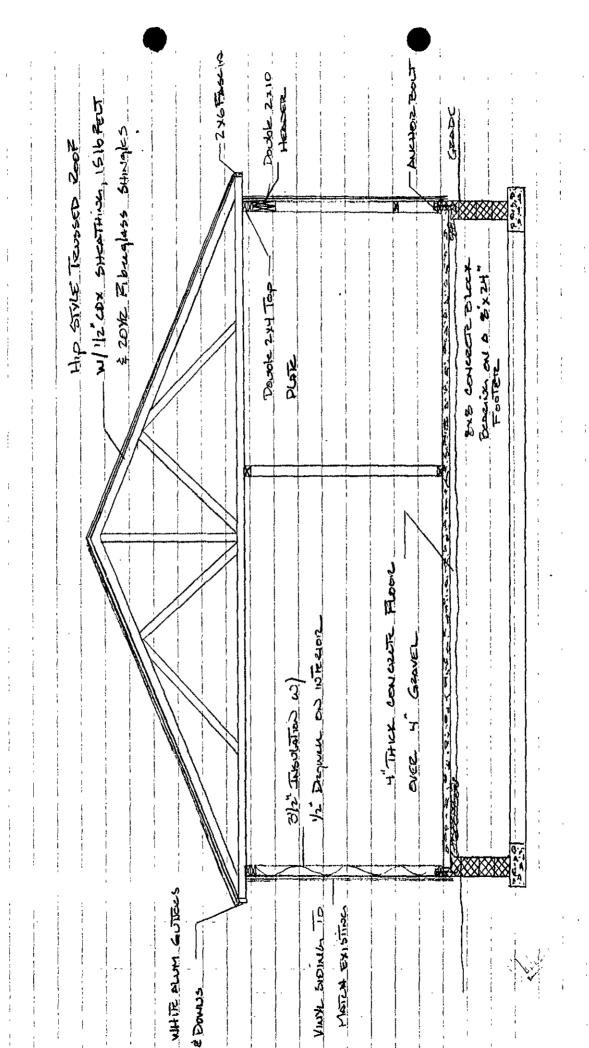
3 Mamopa Ct.

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS		
DAVID BISAHA	4 MAHOPA CT		
	REISTERSTOWN, HD 21/30		
JOHN DEGRAM	3901 E. MONUMENT ST		
Klebou CONST. Remora Co.	BALTE. MD 21205		
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Case: #97-267-SPH
(Item 267)

NS Marmona Court, 330' E

4 Marmona Court and the Discrice Road
4th Election District
3rd Councinate
Legal General:
Special Marsing: to approve the proposed addition.
1987 at 2:30 p.m., in Rm.,
108, County Office Building.
LAWRENCE: SCHMIDT Zoning Commissioner for MOTES: (1) Hearings are special
ACCESSIBLE; für Pease Call 887-3353.
(2) For information concerning the File and/or Hearing,
Please Call 887-3353.

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weeks, the first publication appearing on	in Towson, Baltimore County, Md	Published in THE JEFFERSONTAN	THIS IS TO CERTIFY the	TOWSON, MD
on	weekly newspaper published	shed in THE JEFFERSONTAL	1997	·

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

1/199 Jan 16

C112381



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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